

July 13, 2004

Gretchen Dykstra
Department of Consumer Affairs
42 Broadway
New York, NY 10004

Re: Club BR LLC d/b/a B.E.D., 530-542 West 27th Street

Dear Commissioner Dykstra,

At its June 2, 2004 meeting, the Business Licenses and Permits Committee of Manhattan Community Board No. 4 voted to recommend the approval with stipulations of the cabaret license application of Club B.R. LLC d/b/a B.E.D. at 530-542 West 27th Street. This applicant previously appeared before the Committee and the full Board for consideration of its liquor license application. During that appearance, the applicant stipulated to a range of conditions designed to allow its establishment to fit as smoothly as possible into its surrounding neighborhood. The applicant recommitted to these stipulations before the Committee voted on its cabaret license and the Committee's approval is based on that commitment. To the extent possible, Board 4 would appreciate it if this agreement could be incorporated into the eventual cabaret license.

The agreed upon stipulations for Club B.R. LLC are:

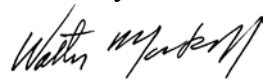
- B.E.D. agrees not to rent or otherwise turn over control of its premises to any outside promoter or other third party for private parties, promotions, or any other events.
- B.E.D. agrees to implement the recommendations of its soundproofing consultant, Alan Fierstein, as contained in his letter dated 3/18/04 and any and all subsequent recommendations, as the applicant goes about construction of the new venue.
- B.E.D. agrees that arriving patrons shall enter the premises immediately and that there shall be no queuing on the sidewalk outside the establishment.
- B.E.D. agrees to have a traffic-management system in place whereby cabs, limousines, and/or other vehicles used by patrons arriving or leaving the venue shall not be allowed to queue, wait, double-park, or honk outside the premises or in the vicinity. At closing time, cabs and limos shall be managed by staff in a quiet and orderly fashion.
- B.E.D. agrees that no flyers or promotional materials for this or any other venue will be handed out on the street outside the premises or in the vicinity.

- B.E.D. agrees that during hours of operation at least one security person, and more if necessary, will be stationed outside the venue to direct patrons to the entrance when arriving and to direct them to transportation when leaving.
- B.E.D. agrees that should the need arise, it will provide a shuttle bus to ferry departing patrons to public or other transportation.
- B.E.D. agrees to meet with designated representatives of Community Board No. 4 on a monthly basis, beginning one month prior to commencement of its operation and continuing through its first year of business, to hear and respond to any valid complaints arising from its operation. Further, B.E.D. agrees to take quick and effective action to remedy any quality-of-life problems it may be causing.
- B.E.D. agrees to make reasonable efforts to employ people from the local community in jobs including, but not limited to, cleaners, security personnel, bartenders, entertainers, and managers. B.E.D. intends to hold a community job fair at the time it commences hiring.
- If B.E.D. wishes to amend or transfer its original liquor license application, it shall notify Community Board No. 4 in writing of its intention 30 days before filing such application with the State Liquor Authority. If B.E.D. wishes to change its method of operation materially, it shall notify the Board of its intention in writing 45 days prior to implementing such a change.
- B.E.D. agrees that if and when a residential building is built, or an existing building is converted to residential use, and noise from the roof operation becomes a nuisance, in that case B.E.D. agrees to enclose and soundproof the entire roof portion of its premises.
- B.E.D. understands and agrees that these stipulations are binding. Any disregard or abrogation of them will result in a comprehensive investigation and follow-up by this Board.
- Further, B.E.D. agrees to write the Method of Operation section of its State Liquor Authority application such that it incorporates all of these agreed upon stipulations.

At its full board meeting, Manhattan Community Board No. 4 voted to approve this application with the stipulations above attached.

Thank you for your attention.

Sincerely



Walter Mankoff
Chair
Manhattan Community Board No. 4

Kevin Kossi
Chair
Business Licenses & Permits Committee

cc: Local Elected Officials, Applicant